

LIBELED: 1-31-63, N. Dist. Ill.

CHARGE: 402(a)(2)(C)—while held for sale, the article contained a food additive, namely, coumarin, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 2-27-63. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

28895. Vitamin tablets. (F.D.C. No. 48718. S. No. 17-363 V.)

QUANTITY: 57 1,000-tablet btls., at Dayton, Ohio.

SHIPPED: Between 1-1-59 and 1-31-59, from Greenville, S.C.

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 50 percent of the declared amount of vitamin D.

LIBELED: 3-11-63, S. Dist. Ohio.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin D, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Vitamin D—400 USP Units" was false and misleading as applied to an article containing less than the declared amount of vitamin D.

DISPOSITION: 4-30-63. Default—the court ordered that the declaration of a vitamin D content be corrected and that the tablets be delivered to a charitable institution.

28896. Vitamin products. (F.D.C. No. 48814. S. Nos. 29-842/5 V.)

QUANTITY: 36 100-capsule btls. of vitamin-mineral capsules, 81 100-capsule and 73 40-capsule btls. of multiple vitamin capsules, 220 100-capsule and 33 250-capsule btls. of multiple vitamin capsules for children, 17 1-pt. btls. of multiple vitamin sirup for children, at Kansas City, Mo.

SHIPPED: Between 3-12-58 and 3-11-63, from Bridgeport, Conn.

RESULTS OF INVESTIGATION: Analysis showed that the articles were 20 or more percent deficient in vitamin B₁ and that the sirup was approximately 75 percent deficient in vitamin D.

LIBELED: 3-15-63, W. Dist. Mo.

CHARGE: 402(b)(1)—while held for sale, valuable constituents, namely, vitamins B₁ and D, were in part omitted or abstracted from the article; and 403(a)—the label statements (vitamin-mineral capsules) "Each Capsule Contains * * * Thiamine Mononitrate (B₁) 7.5 mgs.," (multiple vitamin capsules) "Each Capsule Contains * * * Thiamine Mononitrate (B₁) 10 mgs.," (multiple vitamin capsules for children) "Each Capsule Contains * * * Thiamine Mononitrate (B₁) 1 mgm.," and (sirup) "One average teaspoonful (5 cc.) contains * * * Vitamin D 1,000 U.S.P. Units; Thiamine Hydrochloride (B₁) 5 mgms." were false and misleading as applied to products containing less than the declared amounts of these vitamins.

DISPOSITION: 5-2-63. Default—destruction.

28897. Food supplement tablets and capsules. (F.D.C. No. 48641. S. Nos. 64-964/5V.)

QUANTITY: 279 100-capsule btls. and 147 100-tablet btls. at Bristol, Tenn.

*See also No. 28856.

SHIPPED: 10-19-59 and 5-11-60, from Newark, N.J.

RESULTS OF INVESTIGATION: Each capsule was labeled to contain .5 mg folic acid and with directions for use of 1 or 2 capsules daily; the tablets were labeled to contain .25 mg. folic acid and with directions for use of 1 or 2 tablets daily.

LIBELED: 2-20-63, E. Dist. Tenn.

CHARGE: 402(a)(2)(C)—while held for sale, the articles contained a food additive, namely, folic acid, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 4-4-63. Default—destruction.

MISCELLANEOUS FOODS

28898. Dried corn husks. (F.D.C. No. 48640. S. No. 32-729 V.)

QUANTITY: 20 unlabeled bales at Tucson, Ariz.

SHIPPED: 12-30-62, from San Antonio, Tex., by Isidro Garcia.

LIBELED: 2-27-63, Dist. Ariz.

CHARGE: 402(a)(3)—contained insects, insect excreta, and insect-damaged husks when shipped.

DISPOSITION: 4-15-63. Default—destruction.

28899. Pie filling. (F.D.C. No. 48402. S. No. 12-410 V.)

QUANTITY: 120 cases, each containing 12 1-lb. 5-oz. cans, at Chicago, Ill.

SHIPPED: 8-29-62, from Duluth, Minn., by Northland Foods, Inc.

LABEL IN PART: (Case and can) "Holleb's Ready To Use Cherry Pie-Filling * * * Ingredients Cherries, Sugar, Corn Starch, Salt, Water * * * Distributed by Holleb & Co. Chicago, Illinois."

RESULTS OF INVESTIGATION: Analysis showed that the article contained undeclared artificial colors, namely, FD&C Red No. 2 and FD&C Red No. 4.

LIBELED: 12-6-62, N. Dist. Ill.

CHARGE: 403(k)—when shipped, the article contained artificial colors and its label failed to state that fact.

DISPOSITION: 1-11-63. Consent—claimed by Northland Foods, Inc., and relabeled.

28900. Bakery pan coating. (F.D.C. No. 48278. S. No. 53-743 V.)

QUANTITY: 20 drums, at Portland, Oreg.

SHIPPED: 8-10-62, from Los Angeles, Calif., by Colony Products Co.

LABEL IN PART: "Colony Products Company CBCLA * * * Colony Bakery Pan Coating USP * * * 100 Vegoil * * * Net 430 Los Angeles, California."

RESULTS OF INVESTIGATION: Examination showed that the article was an oil containing approximately 4 percent mineral oil.

LIBELED: 11-15-62, Dist. Oreg.

CHARGE: 402(b)(2)—when shipped, mineral oil had been substituted in whole or in part for vegetable oil; 403(a)—the name of the article "Bakery Pan Coating USP * * * 100 Vegoil" suggested and implied that the article was vegetable oil and recognized in the United States Pharmacopeia, which name was false and misleading since the article was not U.S.P. and since mineral oil had been substituted in whole or in part for vegetable oil; and 403(i)(2)—